Ontario e-Discovery Institute 2014

Date: Thursday, October 30, 2014 | 8:15 am

Location: Twenty Toronto Street Conferences and Events
20 Toronto Street, 2nd Floor, Toronto

Program Chairs: Kelly Friedman, Davis LLP
Kate Manning, Wortzmans

Now in its 4th year, this highly anticipated full day program brings together leading Canadian and U.S. experts to talk about the latest developments in e-Discovery. Learn what’s new in information governance, the unique challenges in public sector litigation and the best tools and practices for efficient and cost effective e-Discovery. Gain valuable insight from our panel of senior in-house counsel on the client’s perspective and hear directly from Canadian and U.S. judges as they present their views from the bench.

8:15 am Registration & Continental Breakfast

9:00 am Welcome and Opening Remarks from the Co-Chairs

Proportionality issues arise in every type of case and for every type of party. This interactive session will address the proportionality concerns raised by an employment scenario involving an individual employee and a corporation.

Master Donald E. Short, Ontario Superior Court of Justice
Kirk M. Baert, Koskie Minsky LLP
Daniel J. Michaluk, Hicks Morley Hamilton Stewart Storie LLP

9:35 am e-Discovery Under Pressure: Regulatory Investigations
Regulatory investigations often operate concurrently with other types of investigations/proceedings. Learn how to manage e-discovery and to handle evidence in concurrent regulatory and criminal investigations and proceedings.

Kelly Friedman, Davis LLP
Marie Henein, Henein Hutchison LLP
Vince La Marca, Enforcement Branch, Ontario Securities Commission

9:35 am Technology Primer: Software Platforms and Tool Options
Don’t miss this essential primer on platform and tool options, with an emphasis on sole practitioners and small firms. Get practical guidance on how to make e-discovery efficient and affordable for all types of cases.

Dominic Jaar, National Practice Leader, Information Management & e-Discovery, KPMG Canada
David Wires, Wires Jolley LLP

10:10 am Public Sector Challenges in e-Discovery
There are unique e-discovery challenges in public sector litigation. This expert panel will provide guidance to help you manage these issues, including volume of custodians and data in a public sector organization, unique government privilege issues, and resource issues.

Nadia Effendi, Borden Ladner Gervais LLP, Elliott Lake Commission Counsel
Duncan Fraser, General Counsel, e-Discovery and Litigation Support Services, Department of Justice Canada
Susan Wortzman, Wortzmans

10:10 am BYOD, Social Media and Cloud Computing e-Discovery Issues
BYOD (Bring Your Own Device), social media and cloud computing are now the norm both in and outside the business world. Find out how to meet the challenges of dealing with e-discovery in these contexts from a both a legal and a forensic perspective.

Joseph Colton, Duff & Phelps
John Le Blanc, Senior Legal Counsel, Scotiabank

10:45 am Networking Coffee Break - Vendor Demonstrations

11:00 am Meaningful Preservation
Discover how to make preservation meaningful from experienced in-house counsel. Get practical advice about issues such as:

- Does the client know where the data is and/or how to preserve it?
- When is a preservation letter not enough?
- How to identify different types of data, how they need to be preserved and how to communicate this advice to your clients.

Jennifer Hamilton, Senior & Global e-Discovery Counsel, Deere & Company
Melanie D. Schweizer, V.P. Legal, Bell Canada

11:00 am e-Discovery Outside of the Commercial Litigation Context
e-Discovery issues arise in all areas of practice. Learn about the issues and challenges faced by counsel in practice areas outside of the commercial litigation context, including family law and health law.

Aaron Franks, Epstein Cole LLP
Susan Nickle, General Counsel, London Health Sciences Centre
11:30 am  **The Essentials of Information Governance**  
Information governance is something that organizations, large and small, struggle with. It is also now the first stage of the EDRM© (E-Discovery Reference Model). Come learn:  
- How and why organizations need to treat their information as an asset  
- Defensible Disposition: When and how can an organization get rid of data?  
Christine Ardern, President, The Information Management Specialists  
Susan Nickle, General Counsel, London Health Sciences Centre

12:00 pm  **Networking Lunch - Vendor demonstrations**

1:00 pm  **The Intersection of ADR and e-Discovery**  
Gain a greater understanding of how e-discovery and alternative dispute resolution intersect from this expert panel.  
Topics will include:  
- The role of mediation in interlocutory e-discovery motions  
- E-discovery planning and disputes in an ADR setting  
- Private arbitration for e-discovery disputes  
The Honourable Colin L. Campbell, Q.C.  
The Honourable Joy Flowers Conti, United States District Judge, U.S. District Court for the Western District of Pennsylvania  
Robert Deane, Borden Ladner Gervais LLP

1:45 pm  **A View from the Bench**  
A distinguished panel of Canadian and American jurists will share their perspective on e-discovery issues:  
*Moderator:*  
The Honourable Colin L. Campbell, Q.C.  
*Panel:*  
The Honourable Joy Flowers Conti, United States District Judge, U.S. District Court for the Western District of Pennsylvania  
The Honourable Darla Wilson, Superior Court of Justice  
Master Donald E. Short, Ontario Superior Court of Justice

2:45 pm  **Networking Coffee Break - Vendor Demonstrations**

3:00 pm  **The Perspective of In-house Counsel**  
Get valuable advice on e-discovery issues from the client perspective, including the importance of meet and confers, advice for external counsel working with internal counsel and preservation challenges.  
Jennifer Hamilton, Senior & Global e-Discovery Counsel, Deere & Company  
Lynne Vicars, Bank of Nova Scotia - Legal Department  
Karen Trussler, Records Manager, Maple Leaf

3:30 pm  **The Ethical Challenges of e-Discovery**  
e-Discovery can raise a host of ethical issues – everything from how to deal with the inadvertent disclosure of privileged data to what to do when the laws of the foreign jurisdiction in which the data is hosted conflict with Ontario laws. Don’t miss this interactive, entertaining and highly informative discussion about the ethical challenges counsel and their clients face in cases large and small.  
Simon Chester

4:00 pm  **Closing Remarks**

4:05 pm  **Networking Cocktail Reception - Vendor Demonstrations**

Joint with:  
- CBA Member/Non-Member  
- CBA Student Member  
- CBA Member/Non-Member Package with Oct. 9 E-Discovery Primer  
- CBA Student Member Package with Oct. 9 E-Discovery Primer

<table>
<thead>
<tr>
<th></th>
<th>CBA Member/Non-Member</th>
<th>CBA Student Member</th>
<th>CBA Member/Non-Member Package with Oct. 9 E-Discovery Primer</th>
<th>CBA Student Member Package with Oct. 9 E-Discovery Primer</th>
</tr>
</thead>
<tbody>
<tr>
<td>In-person</td>
<td>$325*</td>
<td>$162.50*</td>
<td>$380*</td>
<td>$237.50*</td>
</tr>
<tr>
<td>Webcast</td>
<td>$325*</td>
<td>$162.50*</td>
<td>$380*</td>
<td>$237.50*</td>
</tr>
</tbody>
</table>

*Plus applicable taxes